

71-C-58

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TITLE OF CASE		ATTORNEYS						
<p>UNITED STATES OF AMERICA vs 30.00 Acres of Land, More or Less, Situate in Nowata County, State of Oklahoma, and Harley Price, et al., and Unknown Owners</p>		<p>For plaintiff: Hubert A. Marlow U. S. District Attorney Tulsa, Oklahoma 74103</p> <p>For defendant: Jack L. Rorschach Box 391 217 Wilson Bldg. Vinita, Okla 74301 (AL 6-3660)</p> <p>W. E. Maddux P. O. Box 349 Nowata, Oklahoma 74048 <i>273-2020</i></p>						
STATISTICAL RECORD	COSTS			DATE	NAME OR RECEIPT NO.	REC.	DISB.	
J.S. 5 mailed 4-1-71	Clerk							
J.S. 6 mailed 9-1-73	Marshal							
Basis of Action: Condemnation on Oologah Dam & Reservoir	Docket fee Witness fees							
Action arose at:	Depositions							

DATE	PROCEEDINGS	Date Order or Judgment Noted
3-8-71	Complaint, filed. Summons issued. r	
3-8-71	Declaration of Taking, filed. r	
3-8-71	Notice, filed. r	
3-8-71	Motion for Order for Delivery of Possession, filed. r	
3-15-71	Order for delivery of possession, filed. (FD-J)g	
4-15-71	Disclaimer of State of Oklahoma, ex rel Okla Tax Commission, filed. ds	
4-23-71	Returns on service, filed. Served James A. Arnold, Trustee, Glenn H. Chappell, Trustee, Julian W. Glass, Jr. as trustee for Eva Payne Glass, Julian W. Glass as trustee for Ernest Frances Bradfield, Julian W. Glass, Jr. as trustee for himself, Julia J. Harmon, George L. Hanks, Board of County Commissioners, County Treasurer & County Assessor, all in Nowata, Okla. on 4-15-71; served Trust Dept. The First Natl. Bank & Trust Co. for Juliann W. Funke, if living, or if deceased, then the heirs, administrators, executors, & assigns of Juliann W. Funke deceased, Trust Dept., The First Natl. Bank & Trust Co. for Helen W. Kenyon, Trust Dept. The First Natl. Bank & Trust Co. for Howard J. Whitehill, if living, or if deceased, then the heirs, administrators, executors, & assigns of Howard J. Whitehill, deceased, and William J. Sherry, all in Tulsa, Okla. on 3-16-71; served Hugh Conine, George W. Lee, L. A. Leffler, The First Natl. Bank of Nowata as trustee for the Harmon Foundation, all in Nowata, Okla. on 4-21-71; served Phyllis W. Minister in Tulsa on 3-17-71; served State of Okla. ex rel, Okla. Tax Commission on 3-23-71. m	
5-3-71	Answer of James A. Arnold and Glenn H. Chappell, Trustees under the will of H. W. Reed, deceased, filed. ds	
5-3-71	Answer of Julian W. Glass, Jr. Trustee for Eva Payne Glass, Ernest Frances Bradfield, and Julian W. Glass, Jr. filed. ds	
5-25-71	Ret. on service of writ, filed: served Harley Price, Nowata, Ok., 5-18-71. g	
6-4-71	Motion for order to strike or to require motion for summary judgment to be made definite, filed, ds brief attached	
6-4-71	Application of Harley Price for hearing on question of taking. Brief attached, filed. ds <i>mailed</i>	
6-4-71	Defendant's brief filed. (Brief to apply to this case and 71-C-57) ds	
6-18-71	Pltf's Response to Application of Deft. Harley Price with Brief, Filed. <i>mailed</i>	
6-22-71	Case set for Evidentiary Hearing on Monday, June 28, 1971 at 10:00 R.M. (FD-J)	
6-28-71	Evidentiary Hearing Held. Parties represented. Statements made. Cases 71-C-57 and 71-C-58 to be consolidated for this hearing. Witnesses sworn as follows: W. R. Meeks, Harley Price, and Walter Brown. Exhibits were offered into evidence. Court finds that taking of property is for public use, and Govt. does have rights to take said property. Govt. to prepare proper Order. (FD-J)r	
6-30-71	Answer of Harley Price, filed. r	
6-30-71	Order, that the application of deft. Harley Price, filed 6-4-71 is denied and his objection to the taking of subject property is overruled. (FD-J)r <i>Copies mailed to attys</i>	
5-8-72	Order appointing Comms., Kenneth L. Stainer as Chairman, J. E. Devine, and James Unruh, and denying jury trial, filed. (FD-J)r (Copies to Comm.)	
6-6-72	Instructions to Commissioners, filed. (FD-J)r (copies mailed)	
7-3-72	Obj. to instructions by pltf., filed. rm	
7-3-72	Order overruling pltf. obj. to inst. to commrs. (FD-J)rm - copies mailed	

DATE	PROCEEDINGS	Date Order or Judgment Noted
2-9-73	Case set for trial by Commrs., 9:30 a.m., 3-6-73. (Notice given)g	
3-6-73	Oath of Office of Commrs., filed. r	
7-16-73	Report of Commissioners, filed. Notice given to parties & counsel. g	
7-30-73	Claim of Commissioners, filed. v	
8-8-73	Order for payment to commissioners, filed. ds (FD-J)	
8-15-73	Judgment, filed and entered, that report of commissioners is hereby confirmed; pltf. to deposit deficiency funds into Registry of Court & Clerk to then disburse moneys to landowners. (FD-J)hm	

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